

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

The City Council convened in Regular Session on Tuesday, October 2, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Larry Muench, Jerry Reese, Ron Stivison, Richard Veit, and Mike Weller. Absent: None. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46648

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

PUBLIC HEARINGS

The President of the Council Bob Kneemiller announced that the following Public Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business:

- A. Changing the Name of the Street Denoted as *Bangert Drive* to *Glazer Way* (***Council Bill 9459***)
- B. Case No. Z-26-07. An application to rezone a parcel of land located at 433 Jackson Street from the City O-I Office-Institution District to the C-1 Neighborhood Business District. The property, located at the southeast corner of Jackson and Fifth Streets, contains approximately 0.14 acres. The subject property is located in Ward 2 (***Council Bill 9472***)
- C. Case No. CU-30-07. (Thro Automotive) The applicant is requesting approval of a conditional use permit to construct an addition, approximately 3,000 square feet in size, to an existing automotive repair facility in the General Business District (C-2) at 923 First Capitol Drive. (Ward 2) (***RCA Attached***)
- D. Case No. DR-04-07. (Planned Development- Infill District) An application to amend Chapter 156: Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri, specifically Sections 156.175, 156.177, 156.178, 156.179 and 156.180, pertaining to the creation of a new PD Planned Development zoning district to be known as PD-IF Planned Development-Infill District (***Tabled at Planning & Zoning; therefore the Public Hearing should be tabled until November 6, 2007***)
- E. Comments on the City's Housing and Non-Housing Community Needs and Strengths, Particularly as they Relate to the Community Development Block Grant Program and the HOME Consortium (***Council Bill 9473***)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

RESOLUTIONS/AWARDS/PROCLAMATIONS

Recognition of Recent Retirees Donna Costellia (Convention & Visitors Bureau) and Ted Holland (Police Department)

The City Council recognized the recent retirement of Donna Costellia from the Convention & Visitors Bureau and Ted Holland from the Police Department.

Resolution Approving a Project (Within the Meaning of Chapter 349, Revised Statutes of Missouri, as Amended) of The Industrial Development Authority of St. Charles County, Missouri to be Located in the City of St. Charles, Missouri, and to be Issued on Behalf of Patriot Machine, Inc. (*Sponsors: Richard Veit and Michael Klinghammer*)

Greg Prestemon, Director, Economic Development Center of St. Charles County, explained the issuance of the bonds, in response to an inquiry of Councilmember Dave Beckering. A roll call vote was taken, with the following results:

Passed "Aye": Muench, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, and Kneemiller

 "Nay": Reese

 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Resolution R07-20**

A Resolution Authorizing Submittal of an Application with Missouri Preservation for the FY 2008 Historic Preservation Fund Grant to Host the Annual Statewide Historic Preservation Conference 2008 (*Sponsors: Bob Kneemiller, Larry Muench, Richard Veit*)

Mayor Patricia M. York announced that a St. Charles City Resident arranged for the Annual Statewide Historic Preservation Conference to be held in St. Charles in 2008. A roll call vote was taken, with the following results:

Passed "Aye": Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench

 "Nay": None

 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Resolution R07-21**

A Resolution Declaring Certain Items of Personal Property of the City of St. Charles to be Surplus Property and Authorizing Their Sale (*Sponsor: Bob Kneemiller*)

A request was made that the surplus list be posted on the City's Website. A roll call vote was taken, with the following results:

Passed "Aye": Stivison, Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese

 "Nay": None

 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Resolution R07-18**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

A Resolution Declaring a Police Dog Surplus Property and Authorizing its Sale by Sealed Bid with Preferences *(Sponsor: Bob Kneemiller)*

Interim Police Chief Dennis Corley responded to an inquiry of President of the Council Bob Kneemiller that the preference is that the police dog be purchased by another Police Department. A roll call vote was taken, with the following results:

Passed “Aye”: Veit, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison

“Nay”: None

Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Resolution R07-19**

BILLS FOR FINAL PASSAGE

Bill 9401 *(Withdrawn)*

An Ordinance Approving the Record Plat for Springwell Village, a Subdivision of the City of Saint Charles, Missouri *(Sponsor: Jerry Reese)*

Community Development Director Bruce Evans stated that the Developer has requested that Council Bill 9401 be withdrawn because the property will be separated into two plats which will require a new Council Bill. A motion was made by JERRY REESE to withdraw Council Bill 9401 from Council consideration. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed. Council Bill 9401 was withdrawn from Council consideration.

File #46649

Bill 9444

An Ordinance Repealing Section 2 (G) of Ordinance No. 82-7 which Restricted Parking Between the Hours of 9 A.M. to 6 P.M., Excluding Sundays and Holidays, Along Both

Sides of Third Street from Adams Street to Clark Street (*Sponsors: Richard Veit and Erv Ermeling*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-251**

Bill 9445 (Substitute Bill No. 1)

An Ordinance Repealing Ordinance No. 72-48 and Enacting a New Ordinance Amending Schedule II (C) (1) of Chapter 78 of the Code of Ordinances by Establishing Two Hour

Parking Restrictions Along Portions of Clark Street and First Capitol Drive (*Sponsors: Richard Veit and Erv Ermeling*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

“Nay”: None

Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-252**

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Bill 9450

An Ordinance Approving the Record Plat for Resubdivision of Lot E of Knobbe Subdivision Plat 2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-253**

Bill 9451

An Ordinance Approving the Record Plat for Elm Point Commons, Plat Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-254**

Bill 9452

An Ordinance Approving the Record Plat for Resubdivision Plat of Lot A of NAPA Retail Center, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Larry Muench*)

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-255**

Bill 9453

An Ordinance Approving the Record Plat for Resubdivision of Units 102 and 104 of Building A of 916-926 Hemsath Road Condominium Phase One, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

Passed "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit

"Nay": None

Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-245**

Bill 9454

An Ordinance Approving the Record Plat for 914 Hemsath Road Condominium Phase Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Laurie Feldman*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-256**

Bill 9455

An Ordinance Approving the Record Plat for Hineman Woods Estates, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-246**

Bill 9456

An Ordinance Approving the Record Plat for Condominium Plat of Greendale Manor Phase 2 – Building 2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-257**

Bill 9457

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Installation of Street Lights on Prairie Haute Drive is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land. (*Sponsor: Ron Stivison*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-247**

Bill 9458

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Right Turn Lane Addition at Missouri Highway 94 and Fox Hill Road Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land. (*Sponsor: Richard Veit*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-258**

Bill 9459

An Ordinance Changing the Name of the Street Denoted as *Bangert Drive* to *Glazer Way*
[*Drive*] (*Sponsor: Michael Klinghammer*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-248**

Bill 9460

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of
Ordinances by Establishing Parking Restrictions Along a Portion of Sibley Street.
(*Sponsor: Ron Stivison*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-259**

Bill 9461 (Substitute Bill No. 1)

An Ordinance Amending Ordinance No. 06-343 by Amending Certain Revenue,
Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2007 (Budget
Amendment #4) (*Sponsor: Bob Kneemiller*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
 Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None

Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-249**

Bill 9462

An Ordinance Authorizing Acceptance of the Development Improvements of Water,
Sanitary Sewer, Storm Sewer Utilities, City Streets and Their Appurtenances at Montclair
Subdivision for the Section Completed by Fischer & Frichtel and Release of Security.
(*Sponsor: Laurie Feldman*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller,
Muench, Reese, Stivison, and Veit
“Nay”: None
Absent: None
Approved by the Honorable Mayor on October 3, 2007, and is known as **Ordinance 07-250**

Bill 9463

An Ordinance Repealing the Parking Restrictions Along Both Sides of North Second Street from Montgomery Street to Tecumseh Street (*Sponsors: Richard Veit and Erv Ermeling*)

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit
 “Nay”: None
 Absent: None
Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-260**

Bill 9464

An Ordinance Repealing the Two Hour Parking Restriction Along Both Sides of Fourth Street from Decatur Street to Clark Street *(Sponsors: Richard Veit and Erv Ermeling)*

Passed “Aye”: Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, and Veit
“Nay”: None
Absent: None
Approved by the Honorable Mayor on October 5, 2007, and is known as **Ordinance 07-261**

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 9465

An Ordinance Authorizing Acceptance for Ownership and Maintenance of a Storm Sewer Lift Station Which is Part of the Development of the Glazer's Site (*Sponsor: Michael Klinghammer*)

Bill 9466

An Ordinance Amending Section 132.04 of the Code of Ordinances Pertaining to Interfering With Law Enforcement Officers *(Sponsor: Ron Stivison)*

Bill 9467

An Ordinance Vacating a Portion of an Eight (8) Foot Public Utility Easement Being Part of Lot 412 of the New Town at St. Charles Plat One-G Located Along the Rear of the Property Adjacent to South Civic Circle Alley 2 (*Sponsor: Michael Klinghammer*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Bill 9468

An Ordinance Vacating Easement Strips Being Part of Lots C and 2459 of the New Town at St. Charles Plat Six Located Along the Interior Property Line of the Adjoining Properties (*Sponsor: Michael Klinghammer*)

Bill 9469

An Ordinance Vacating Easement Strips Being Part of Lots D and 2636 of the New Town at St. Charles Plat Six Located Along Three Sides of Lot 2636 and Within the Southeast Corner of Lot D (*Sponsor: Michael Klinghammer*)

Bill 9470

An Ordinance Vacating a Portion of Right of Way of Hiram Alley 6 Being Part of the New Town at St. Charles Plat Six Located at the Intersecting Property Lines of Lot 2636, Lot D and Hiram Alley 6 (*Sponsor: Michael Klinghammer*)

Bill 9471

An Ordinance Vacating a Three (3) Foot Easement Being Part of Lots 1902 Through 1907 of the New Town at St. Charles Plat One-A, Excluding the 22 Foot Portion of the Easement Along the South Side of Lot 1907 (*Sponsor: Michael Klinghammer*)

Bill 9472

An Ordinance Rezoning to City Zoning District C-1 (Neighborhood Business District) from City Zoning O-I (Office Institutional District), a Parcel of Land Located at 433 Jackson Street (*Sponsor: Larry Muench*)

Bill 9473

An Ordinance Authorizing the Mayor and City Clerk to Execute and File the Consolidated Plan Action Plan 2008 with the U.S. Department of Housing and Urban Development for a Community Development Block Grant (Fiscal Year 2008) (*Sponsors: Bob Kneemiller, Larry Muench, Richard Veit*)

Bill 9474

An Ordinance Amending Chapter 72 of the Code of Ordinances by Creating a New Section, Section 72.019, Establishing the Time for Operation of Flashing School Zone Lights (*Sponsor: Jerry Reese*)

Bill 9475

An Ordinance Authorizing a Contract with Prairie Archway International Trucks for the Purchase of One (1) 2008 International 7400 SFA 6x4, 54,000 lb. G.V.W.R. Tandem-Axle Dump Truck with Dump Body, Salt Spreader and Snow Plow for the Street Division in an Amount Not to Exceed \$117,329.00 (*Sponsor: Bob Kneemiller*)

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Bill 9476

An Ordinance Authorizing a Contract with Lou Fusz Chevrolet for the Purchase of Three (3) 2008 Chevrolet Silverado CK20903, 3/4 Ton, 4x4 Regular Cab Pickup Trucks for the Street Division in an Amount Not to Exceed \$64,410.15 (*Sponsor: Bob Kneemiller*)

Bill 9477

An Ordinance Authorizing a Contract with Fabick CAT for the Purchase of One (1) 2007 CAT M318D Wheeled Rubber Tire Excavator with Optional Smooth Bucket Attachment and Optional Rigid Arm Thumb Attachment for the Street Division in an Amount Not to Exceed \$175,164.00.00 (*Sponsor: Bob Kneemiller*)

Bill 9478

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the North Fifth Street Corridor Improvements Project (Phase 1 is First Capitol Drive to Jefferson Street and Phase 2 is First Capitol Drive to Tompkins Street) is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Richard Veit and Larry Muench*)

Bill 9479

An Ordinance Authorizing an Engineering Services Contract with Crawford, Bunte, Brammeier to Provide Design and Construction Services for the Fifth Street Corridor Phase 2 Improvement Project – Tompkins Street to First Capitol Drive in an Amount Not to Exceed \$55,250.00 (*Sponsor: Larry Muench*)

Bill 9480

An Ordinance Repealing Ordinance 06-337 and Authorizing Acceptance as Provisional Streets King Drive and Certain Unnamed Alleys in Forest Hills (*Sponsor: Jerry Reese*)

Bill 9481

An Ordinance Repealing Ordinance 81-16 and Enacting a New Ordinance Amending Section 111.100 of the Code of Ordinances Pertaining to Cable Television Franchise Fees (*Sponsor: Larry Muench*)

Bill 9482

An Ordinance Repealing Ordinance No. 07-148 and Enacting a New Ordinance Authorizing an Agreement with Commerce Bank for the Establishment of a Bank Card Account, Designating Persons Authorized for Use of this Account, and Designating the Line of Credit Amount (*Sponsors: Bob Kneemiller and Jerry Reese*)

Discussion was held relative to Council Bill 9482, including the establishment of the credit card limits, and the implementation of guidelines for submitting receipts. A request was made that recommendations be made by Staff relative to the credit card limits to be established by Council Bill 9482

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

CONSENT AGENDA

Councilmember Dave Beckering removed *Item 8.C.7.a Traffic Commission Meeting of August 21, 2007 (a. Motion to Contact the Post Office About Moving the Mailboxes from the West Side of North Village Drive to the East Side of North Village Drive)* from the Consent Agenda.

Councilmember Michael Klinghammer removed *Item 8.D.3 Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, Inc for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street* and *Item 8.D.4 Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets* from the Consent Agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the consent agenda. LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, and Weller. "Nay": None. Absent: None. Motion passed.

A. Approval of Council Minutes

1. Council Retreat of August 3-4, 2007
File #46650
2. Council Meeting with County Council of August 30, 2007
File #46651
3. Regular City Council Meeting of September 4, 2007
4. Public Hearing of September 4, 2007
File #46652
5. Special Council Meeting of September 17, 2007
6. Regular Council Meeting of September 18, 2007
7. Public Hearing of September 18, 2007
File #46653

B. Receipt and/or Approval of Council Committee Reports

1. Council Work Session of August 14, 2007
File #46514

C. Receipt of Reports from Boards, Commissions or Committees

1. Landmarks Board Meeting of July 16, 2007
File #46544
2. Landmarks Board Meeting of August 20, 2007
File #46544
3. Traffic Commission Meeting of September 18, 2007
 - a. Motion to Retain the Two-Way Stop at the Intersection of Montclair Manor Drive and Olde Court Road/Cruzatte Place
File #46464
4. St. Charles Park & Recreation Regular Board Meeting of July 18, 2007
File #46516

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

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5. Board of Public Works Meeting of August 9, 2007
a. Motion to Recommend Approval to Issue Elm Point Storage
Condominiums a Permit for the Installation of a Dump Station

File #46617

6. Planning and Zoning Meeting of July 23, 2007

File #46474

7. Traffic Commission Meeting of August 21, 2007
a. Motion to Contact the Post Office About Moving the Mailboxes
from the West Side of North Village Drive to the East Side of
North Village Drive **(RCA Attached)**

REMOVED FROM CONSENT AGENDA

8. Senior Citizens Advisory Commission Meeting of November 15, 2005
a. Motion to Invite Daniel Barnard from Greater Missouri Builders,
Inc. to Speak at the December 20, 2005, Meeting

File #45834

9. Senior Citizens Advisory Commission Meeting of July 17, 2007
a. Motion to Forward Letter to City Council Opposing the Sale or
Discharge of Fireworks in the City

File #46531

10. Senior Citizens Advisory Commission Meeting of August 21, 2007
a. Motion to Invite Anita Telkamp, Community Development
Department, to speak at the October Meeting

File #46531

11. St. Charles Park & Recreation Work Session Meeting of August 1, 2007

File #46516

D. Receipt of Reports of the Director of Administration

1. Approval of Liquor License Application for Gregory Whittaker dba
Domain Street Wine Bar Located at 3301-1 Domain Street

File #46463

2. Approval of Liquor License Application for Lorene Samson dba Wal-Mart
#1161 Located at 2897 Veteran's Memorial Parkway

File #46463

3. Authorization for the City to Negotiate an Engineering Service Contract
with HDR Engineering, INC for Design of a Water Main Replacement on
Second Street Between Clark Street and Tecumseh Street **(Hold Pending
Additional Information)**

REMOVED FROM THE CONSENT AGENDA

4. Authorization for the City to Negotiate an Engineering Services Contract
with HDR for the Design of the Sanitary Sewer Replacement on Houston
and Waverly Streets **(Hold Pending Additional Information)**

REMOVED FROM THE CONSENT AGENDA

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

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- E. Approval of Contracts and Easements from \$20,001 - \$50,000
1. Contract with Charter Media for advertising on Charter Cable Network in an amount of \$15,198.00
File #46654
2. Contract with Mordt Tractor and Equipment Company for the Purchase of One (1) Kubota L5740 HSTC 4x4 Cab Tractor with a Bush Hog 296 Brush Hog/Rotary Cutter Attachment and Trade in of a 1979 John Deere 302 Tractor and Servis Rhino 5 Foot Rotary Cutter in the Amount of \$25,437.00
File #46655
3. Contract with Mordt Tractor and Equipment Company for the Purchase of One (1) Kubota KX080-3R3 Compact Hydraulic Excavator with Optional Smooth Bucket Attachment and Trade In or a 1998 Takeuchi TB070 Rubber Tracked Compact Hydraulic Excavator in the Amount of \$48,528.00
File #46656
4. Contract with Thoele Construction, Inc. for the Dredging of the Pond and Removal of the Overburden at Wapelhorst Park in the Amount of \$31,984.00
File #46657
- F. Preliminary Plats
None
- G. Miscellaneous
None

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.C.7. Minutes of the Traffic Commission Meeting of August 21, 2007; specifically, Motion to Contact the Post Office About Moving the Mailboxes from the West Side of North Village Drive to the East Side of North Village Drive

President of the Council Bob Kneemiller requested that this item be referred to the Traffic Commission for additional information.

Item 8.D.3. Authorization for the City to Negotiate an Engineering Service Contract with HDR Engineering, INC for Design of a Water Main Replacement on Second Street Between Clark Street and Tecumseh Street

Item 8.D.3 was held by President of the Council Bob Kneemiller pending additional information from the Public Works Department.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Item 8.D.4. Authorization for the City to Negotiate an Engineering Services Contract with HDR for the Design of the Sanitary Sewer Replacement on Houston and Waverly Streets

Item 8.D.4 was held by President of the Council Bob Kneemiller pending additional information from the Public Works Department.

REPORT OF THE MAYOR

Written and/or Verbal Messages from the Mayor

Town of the Year Contest

Mayor Patricia M. York announced that the City of St. Charles is a finalist in the Town of the Year Contest sponsored by Suburban Journals.

Budget – Fiscal Year 2008

Mayor Patricia M. York announced that the Budget for the Fiscal Year 2008 will be available anytime after 5:00 p.m. on October 3, 2007.

Storytelling/Ghost Stories

Mayor Patricia M. York announced that Storytelling/Ghost Stories will be held on October 19-20, 2007, at the Katy Depot.

Haunted Horse Drawn Hayride

Mayor Patricia M. York announced that on October 14, 2007, October 21, 2007, October 28, 2007, and October 31, 2007, there will be Haunted Horse Drawn Hayrides on Main Street.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

Cancellation of the November 13, 2007, Council Work Session, Due to the National League of Cities Congress of Cities Conference

A motion was made by DAVE BECKERING to cancel the Council Work session scheduled for November 13, 2007, due to the National League of Cities Congress of Cities Conference. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

Discussion Relative to the Mosquito Spraying Program

Councilmember Larry Muench voiced concern that the City had stopped the mosquito spraying for the year; however, with the unusual warm weather there is still need for the Mosquito Spraying Program to continue. Director of Community Development Bruce Evans explained that the City has depleted its barrels of mosquito spray; and that there is no additional funding in the budget for additional barrels. Discussion was held relative to the Mosquito Spraying

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

Program, including exploring alternative methods for mosquito control. A motion was made by JERRY REESE to purchase one barrel of mosquito spray to be funded by Council Directives to continue the City-Wide Mosquito Spraying Program. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed. Councilmember Laurie Feldman requested that the Mosquito Spraying Schedule be posted on the website upon its commencement next spring.

Written and/or Verbal Messages from the Councilmembers

Elm Street Detour

Councilmember Dave Beckering thanked the Public Works Department for altering the Elm Street Detour.

Recycling Program

Councilmember Laurie Feldman announced that, with the assistance of Allied Waste, a pilot program has been implemented for recycling in the following three multi-family areas: Boulders at Katy Trail, Sherman Meadows Townhouses, and Fair Winds Retirement Center. Councilmember Feldman also announced that she would be meeting with Staff tomorrow relative to implementing a recycling program at City Hall, Police Department, and Fire Stations.

Reduced Speeding on Fifth Street

Councilmember Laurie Feldman thanked Interim Police Chief Dennis Corley for the additional enforcement on Fifth Street to reduce speeding.

Oktoberfest and Irish Festival

Vice President of the Council Jerry Reese announced that the Oktoberfest and the Irish Festival were both very successful.

Water Line Repair

Vice President of the Council Jerry Reese thanked the Water Division of the Public Works Department for the excellent job done on repairing a water line last Friday.

Bum's Hollow Concert

Councilmember Larry Muench announced that there will be a concert at Bum's Hollow in Blanchette Park on Saturday, October 6, 2007, at 7:00 p.m.

St. Charles Night Out

President of the Council Bob Kneemiller thanked the Police Department for the excellent job in organizing St. Charles Night Out on Tuesday, September 25, 2007.

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
October 2, 2007

TABLED BILLS

Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) ***(Tabled at the June 19, 2007, Regular Council Meeting)***

Director of Public Works responded to an inquiry of Vice President of the Council Jerry Reese that the traffic study should be completed by mid-October. There was no action taken on Case No. CU-22-06.

Bill 9440 *(Removed from the Table for Action on October 16, 2007)*

An Ordinance Rezoning to City Zoning District I-1 (Light Industrial District) from City Zoning R-1E (Single-Family Residential District), Property Located at 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street *(Sponsor: Richard Veit)* ***(Tabled at the September 4, 2007, Regular Council Meeting)***

A motion was made by RICHARD VEIT to remove Council Bill 9440 from the table. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

CLOSED SESSION

A roll call vote was taken to adjourn into Closed Session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2); and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12) and with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Veit, Weller, and Beckering. "Nay": None. Absent: None. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 8:15 p.m.

October 16, 2007
Date Approved

Mary K. Miller
City Clerk

Bob Kneemiller
Bob Kneemiller, Presiding Officer